

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ALVERENE BUTLER,**

**Plaintiff,**

**v.**

**ALABAMA DEPARTMENT OF  
TRANSPORTATION, *et al.*,**

**Defendants.**

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**CASE NO. 2:06-cv-00278-MEF-CSC**

**NOTICE OF APPEAL BY DEFENDANTS**  
**ALABAMA DEPARTMENT OF TRANSPORTATION,**  
**MARK WAITS, and TODD JACKSON**

Notice is given that Defendants in the above styled matter, the Alabama Department of Transportation, Mark Waits, and Todd Jackson, hereby appeal to the United States Court of Appeals for the Eleventh Circuit from the final judgment (Doc. No. 69) entered in this action on the 15th day of June 2007, and the District Court's order (Doc. No. 77) entered on July 12, 2007, denying Defendants' post trial motions.

RESPECTFULLY SUBMITTED  
TROY KING  
ATTORNEY GENERAL

s/ Stacey S. Houston  
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Assistant Attorney General  
Assistant Counsel

s/ Jim R. Ippolito, Jr.  
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<b>ALVERENE BUTLER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	<b>CASE NO. 2:06-cv-00278-MEF-CSC</b>
<b>ALABAMA DEPARTMENT OF</b>	)	
<b>TRANSPORTATION, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that, on **July 20, 2007**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

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